IN THE HIGH COURT OF JUDICATURE AT PATNA

LPA No. 772 of 2006

1. STATE OF BIHAR
2. The Director, Primary Education Department, Govt. of Bihar, Patna.
3. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
4. The District Education Establishment Committee through the District Magistrate, Vaishali at Hajipur.
5. The District Superintendent of Education, Vaishali at Hajipur.
6. The District Education Officer, Vaishali at Hajipur
7. The Range Education Officer, Lalganj, District-Vaishali.
8. The Range Education Officer, Hajipur, District Vaishali
9. The Range Education Officer, Mahua, District Vaishali
10. The Block Education Officer, Hajipur West,District-Vaishali
11. The Headmaster, Middle School, Manpur West, Hajipur, District-Vaishali
12. The Headmaster, Middle School, Adampur Anchal Goraul, District-Vaishali
13. The Head Master, Middle School Mabathi, Patepur, District-Vaishali.-----Petitioners

Versus

1. AJAY KUMAR SRIVASTAVA,Son of Ram Chandra Prasad, Resident of Mohalla + PS Lalganj, District Vaishali.
2. Hare Ram Singh, Son of Sri Mahendra Prasad Singh, resident of Village-Sherpur, P.O. Bhan Borhan, P.S. Mahua, District-Vaishali.
3. Sanjay Kumar, Son of Sri Chandeshwar Narayan Singh, resident of village Lautan, PO-Gurmia, P.S. Kartaha, District Vaishali.
4. Arshad Raza, son of late Gulam Mustafa, resident of Mohalla-Alaullah Pur, PO + PS-Lalganj, District-Vaishali –Opposite party

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5 17.10.2008 State of Bihar and its Officers aggrieved by the order dated 22.2.2006 passed in CWJC No. 16018 of 2004 have preferred this appeal under Clause 10 of the Letters Patent.

Mr. Prabhakar Tekriwal, Government

Advocate No.I, appears on behalf of the appellants. Respondent Nos.1 to 4 are represented by Mr. Ragvendra Sharan Pandey.

It is relevant here to state that CWJC No. 16018 of 2004 which has given rise to the present appeal was analogously disposed of alongwith CWJC No. 12347 of 2004,CWJC No. 5302 of 2005 and CWJC No.6636 of 2005. The aforesaid order thus have been passed in four writ applications and the State of Bihar aggrieved by the order in CWJC No. 12347 of 2004, CWJC No. 5302 of 2005,CWJC No. 6636 of 2005 had preferred LPA No. 722 of 2006 (State of Bihar & ors. Vs. Smt. Savitri),LPA No. 766 of 2006 (State of Bihar & ors. Vs. Ashok Kumar), LPA No. 770 of 2006 (The State of Bihar & others vs. Om Prakash Singh) respectively, LPA No. 722 of 2006 has been dismissed by a reasoned order dated 2nd September, 2008. Following the same other two appeals have also been dismissed by order of the same date.

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On perusal of the order of the learned Single Judge we do not find any distinction between the case of the writ petitioners-respondents in the present case as those of the

writ petitioner of other cases.

As this appeal arises out of the same order against which three appeals filed have been dismissed, we are of the opinion that this appeal also deserves to be dismissed.

Accordingly, we dismiss the appeal.

(Chandramauli Kr.Prasad,J.)

(Subash Chandra Jha,J.)

A.Kumar

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